

CARBON HILL NATIONAL FISH HATCHERY CONVEYANCE ACT

MAY 8, 1996.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. YOUNG of Alaska, from the Committee on Resources,
submitted the following

REPORT

[To accompany H.R. 2982]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 2982) to direct the Secretary of the Interior to convey the Carbon Hill National Fish Hatchery to the State of Alabama, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 2982 is to direct the Secretary of the Interior to convey the Carbon Hill National Fish Hatchery to the State of Alabama.

BACKGROUND AND NEED FOR LEGISLATION

The Carbon Hill National Fish Hatchery is located in Walker County inside the city limits of Carbon Hill, Alabama. It is located 60 miles west of Birmingham, Alabama, and 180 miles east of Memphis, Tennessee.

In 1938, Congress established the site as a hatchery for largemouth bass, bluegill, crappie, and red-ear sunfish for stocking ponds in 24 counties in northwest Alabama and three counties in east central Mississippi.

Over the years the function of the hatchery has changed. In 1965, the Alabama Conservation Department assumed responsibility over the farm ponds in the State and started stocking them with fish reared at Carbon Hill. The hatchery also provided fish to

68 counties in the central and eastern parts of the State of Tennessee.

Today, the hatchery's production is split between rearing walleye for the Tennessee Valley Authority's Cherokee Reservoir and striped bass for the major river systems along the Gulf Coast. In addition, the hatchery has been successful in raising bluegills, channel catfish, and paddlefish.

The hatchery consists of an office/aquarium complex, a feed storage building, a three-stall garage, an equipment storage building, a holding house, two residences, and 14 production ponds with a total surface area of 18 acres of water. The total land area is 67 acres, which leaves some room for expansion in the future.

For the past two fiscal years, the Clinton Administration has recommended that title to the Carbon Hill National Fish Hatchery and its stocking programs be transferred to the State of Alabama. This facility, which will cost the Federal Government \$159,000 to operate in Fiscal Year 1996, is no longer essential to the Federal fish stocking program. In fact, the Carbon Hill National Fish Hatchery is currently being operated by the State of Alabama under a long-term Memorandum of Agreement with the U.S. Fish and Wildlife Service.

COMMITTEE ACTION

H.R. 2982 was introduced on February 28, 1996, by Congressman Tom Bevell. The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on Fisheries, Wildlife and Oceans.

On March 27, 1996, the Subcommittee held a hearing on H.R. 2982. Testifying in support of the bill were Congressman Tom Bevell and Dr. Robert Streeter, Assistant Director for Refuges and Wildlife, U.S. Fish and Wildlife Service. In his testimony, Dr. Robert Streeter said that "the Service and the State of Alabama mutually agree that all parties will benefit from the conveyance of ownership of the hatchery to the State of Alabama. This conveyance will allow the State increased flexibility to address future needs of their fishery programs and to make capital improvements to the production components of the facility".

On April 18, 1996, the Subcommittee on Fisheries, Wildlife and Oceans met to markup H.R. 2982 and ordered it reported favorably, without amendment, to the Full Committee on Resources by voice vote.

On April 25, 1996, the Committee on Resources met to consider H.R. 2982. There were no amendments and the Committee ordered the bill reported to the House of Representatives by voice vote, in the presence of a quorum.

SECTION-BY-SECTION ANALYSIS

Section 1—Short title

The bill may be cited as the "Carbon Hill National Fish Hatchery Conveyance Act".

Section 2—Conveyance of Carbon Hill National Fish Hatchery to the State of Alabama

Section 2(a) directs the Secretary of the Interior to convey to the State of Alabama, within 180 days and without reimbursement, the Carbon Hill National Fish Hatchery for use by the Game and Fish Division of the Alabama Department of Conservation and Natural Resources.

Section 2(b) states that the fish hatchery is located in Walker County, Alabama, consisting of 67 acres and includes buildings, structures, equipment, and all easements, leases, and water rights relating to that property.

Section 2(c) mandates that the property shall revert to the United States if the State of Alabama decides to no longer use the property for fishery resources management and fisheries-related activities and requires the State to ensure that the property is in substantially the same or better condition at the time of transfer.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

With respect to the requirements of clause 2(1)(3) of rule XI of the Rules of the House of Representatives, and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Subcommittee on Fisheries, Wildlife and Oceans of the Committee on Resources held a hearing on H.R. 2982 on March 27, 1996, and the Committee's oversight findings and recommendations are reflected in the body of this report.

INFLATIONARY IMPACT STATEMENT

Pursuant to clause 2(1)(4) of rule XI of the Rules of the House of Representatives, the Committee estimates that the enactment of H.R. 2982 will have no significant inflationary impact on prices and costs in the operation of the national economy.

COST OF THE LEGISLATION

Clause 7(a) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out H.R. 2982. However, clause 7(d) of that Rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974.

COMPLIANCE WITH HOUSE RULE XI

1. With respect to the requirement of clause 2(1)(3)(B) of rule XI of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, H.R. 2982 does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

2. With respect to the requirement of clause 2(1)(3)(D) of rule XI of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform and Oversight on the subject of H.R. 2982.

3. With respect to the requirement of clause 2(l)(3)(C) of rule XI of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for H.R. 2982 from the Director of the Congressional Budget Office.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, May 7, 1996.

Hon. DON YOUNG,
*Chairman, Committee on Resources,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed H.R. 2982, the Carbon Hill National Fish Hatchery Conveyance Act, as ordered reported by the House Committee on Resources on April 25, 1996.

H.R. 2982 would direct the Secretary of the Interior to convey the Carbon Hill National Fish Hatchery, without reimbursement, to the state of Alabama. Because the state is already responsible for operating the Carbon Hill facility, we expect that implementing this bill would have no impact on the federal budget. The bill would have no effect on direct spending or receipts; therefore, pay-as-you-go procedures would not apply.

H.R. 2982 contains no intergovernmental or private sector mandates as defined in Public Law 104-4 and would impose no direct costs on state, local, or tribal governments.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are Deborah Reis, and for the state and local impact, Marjorie Miller.

Sincerely,

JUNE E. O'NEILL, *Director.*

COMPLIANCE WITH PUBLIC LAW 104-4

H.R. 2982 contains no unfunded mandates.

CHANGES IN EXISTING LAW

If enacted, H.R. 2982 would make no changes in existing law.

DEPARTMENTAL REPORTS

The Committee received a favorable report on H.R. 2982 from the Department of the Interior on April 24, 1996. No other reports have been received on H.R. 2982.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, DC, April 24, 1996.

Hon. DON YOUNG,
*Chairman, Committee on Resources,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: This responds to your request for the views of this Department with respect to a bill, H.R. 2982, a bill "To di-

rect the Secretary of the Interior to convey the Carbon Hill National Fish Hatchery to the State of Alabama.”

The Department recommends that the bill be enacted.

The Fish and Wildlife Service generally supports the transfer of Service fishery facilities to States when those facilities no longer support Federal fishery programs. That is the case for the Carbon Hill National Fish Hatchery. Carbon Hill National Fish Hatchery is currently being operated by the State of Alabama under a long-term Memorandum of Agreement with the Service that supports the production of fish for State fishery management programs.

The Service and the State of Alabama mutually agree that all parties will benefit from the conveyance of ownership of the hatchery to the State of Alabama. This conveyance will allow the State increased flexibility to address future needs of their fishery program and to make capital improvements to the production components of the facility.

H.R. 2982 will assist the State in better managing their fishery resources. We, therefore, recommend that the bill be enacted.

The Office of Management and Budget advises that there is no objection to the presentation of this report from the standpoint of the Administration’s program.

Sincerely,

ROBERT P. DAVISON,
Deputy Assistant Secretary.

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